



City of Burlington
Department of Public Works

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Memo

Date: May 22, 2020

To: Transportation, Energy and Utilities Committee of the Burlington City Council

From: Chapin Spencer, Director

CC: Norman Baldwin, P.E., Assistant Director/City Engineer
Susan Molzon, P.E., Senior Public Works Engineer
Eleni Churchill, Chittenden County Regional Planning Commission

Subject: Railyard Enterprise Project – Supplemental Scoping

The Railyard Enterprise Project (REP) is a proposed multi-modal transportation link connecting Pine Street to Battery Street. The purpose of the Railyard Enterprise Project is to develop a network of multimodal transportation infrastructure improvements in the Pine Street and Battery Street area which incorporate the principles of complete streets, and to: support economic development in the area; improve livability of the surrounding neighborhoods; enhance multimodal travel connectivity between the Pine Street corridor and Battery Street in the Burlington Waterfront South area; and improve intermodal connections to the Burlington Railyard, a National Highway System designated intermodal facility.

BACKGROUND

In October 2012, the City Council unanimously passed a resolution “express[ing] its full support for the new Railyard Enterprise Project and author[izing] the Mayor and CEDO staff to commence work with the Chittenden County Regional Planning Commission (CCRPC) on scoping for the project”. In partnership with the City, Vermont Agency of Transportation (VTrans), the Federal Highway Administration (FHWA) and CCRPC, an enhanced scoping process under the Every Day Counts/Planning and Environmental Linkages (EDC/PEL) FHWA initiative was completed.

The Steering Committee, comprised of members of City, State and local organizations, was formed to provide guidance and general project oversight recommended that the City Council support the advancement of three Phase 2 Alternatives into the National Environmental Policy Act (NEPA). Public input during the process, including public forum at City Council meetings, raised topics including concerns about impacts to existing buildings in the project area, a desire to have more local control, and interest in developing the project in a timely manner to reduce traffic impacts in the King St and Maple St neighborhoods as soon as possible. In December 2015, the City Council passed a resolution advancing three REP Phase 2 Alternatives, but the resolution also stated that the Council “strongly supports build alternatives...that connect Pine Street and Battery Street with the least impact to private property and existing business”. Of the three REP Phase 2 Alternatives,

City and VTrans staff determined that Alternative 1B would be the most viable as a local/state project because it impacts the fewest number of private properties, has the fewest lane miles of new roadways, and appeared to have the most support through the public process.

In November 2016, the City Council passed a resolution “express[ing] its support for conducting a supplemental scoping of REP Phase 2 Alternative 1B to evaluate whether a local/state approach that does not utilize federal funds is feasible”. The City Council also requested a thorough report upon completion of the supplemental scoping effort so that the Council can determine whether to proceed with advancing Alternative 1B as a local/state project without NEPA review or proceed with advancing the REP Phase 2 Alternatives 1B, 2 and 5B into a Federal Environmental Permitting Process (NEPA).

CURRENT STATUS

The supplemental scoping has now been completed and we are bringing forward the report to the TEUC for review and recommendation to the City Council. The supplemental scoping was very beneficial in conducting more detailed review of the historic, environmental and commercial considerations in the project area. The findings from the supplemental scoping will help inform upcoming project development work including any applicable Federal NEPA process.

Based on the supplemental scoping and the overall projected cost, City staff is recommending to advance the project as a Federally-funded project. We seek the TEUC’s support to accept the study and staff’s recommendation, and to forward to City Council.

PROJECT FUNDING

Additionally, we have attached two letters from VTrans offering two financial paths for advancing the project as a Federally-funded project. In summary, VTrans has committed to include funding for preliminary engineering for the REP in its capital program submittal to the Legislature for 80% of preliminary engineering costs if the City commits to the 20% local match. The alternative is VTrans has committed to providing federal and state funding for 90% of up to \$20M of actual project-eligible costs for federal participation after the construction of the Champlain Parkway project is completed and the City is willing to enter into a grant agreement with VTrans. Feel free to contact us to discuss any of this in further detail. We seek the TEUC’s feedback on how to move forward in consideration of these funding opportunities.

We look forward to discussing this in more detail at the TEUC meeting.

ATTACHMENTS:

April 18, 2019 Letter from VTrans to Mayor Miro Weinberger
August 5, 2019 Letter from VTrans to Chapin Spencer



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Agency of Transportation

April 18, 2019

Mayor Miro Weinberger
City of Burlington
City Hall, 149 Church Street
Burlington, VT 05401

Dear Mayor Weinberger:

As the initial scoping effort for a project commonly referred to as the Railyard Enterprise Project comes to an end, I would like to clarify the Agency of Transportation's (AOT) level of commitment to the project.

To date, planning funds from both the CCRPC and AOT have been used for the enhanced scoping project. This enhanced process, called Planning and Environment Linkages (PEL), provides for a collaborative and integrated approach to transportation decision making that considers environmental, community, and economic goals early in the transportation planning process, and then uses the information developed during planning to inform the environmental review process. We understand that the outcome of this process confirms that the desired project will be of such a scale financially that it will not be feasible to complete using local and state funds only.

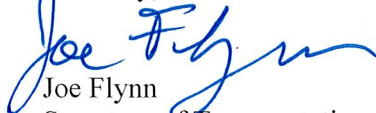
The AOT will honor the previous commitment to program a new project within the Roadway Program for the Railyard Enterprise Project. However, this action for starting the preliminary engineering phase, which includes review under the National Environmental Policy Act (NEPA), will not occur until after the construction of the Champlain Parkway is completed and only if the City is willing to enter into a grant agreement and advance the project through the Municipal Assistance Bureau. The Champlain Parkway utilizes a significant portion of available funding within the AOT Roadway Program over the next several years and until that is completed funding will not be available.

Specifically, AOT will commit to providing federal and state funding to the Railyard Enterprise Project as follows:

- 90% of up to \$20,000,000 of actual project-eligible costs for federal participation,
- federal and state funding capped at \$18,000,000, and
- eligible project costs above \$20,000,000 and/or costs found not to be eligible for federal or state participation will be the responsibility of the City of Burlington.

We look forward to working with the City of Burlington to advance this project at the appropriate time.

Sincerely,


Joe Flynn
Secretary of Transportation





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Highway Division
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Agency of Transportation

Wayne B. Symonds
Chief Engineer

Ann L. Gammell
Deputy Chief Engineer

August 5, 2019

Chapin Spencer
Public Works Director
City of Burlington
PO Box 849
Burlington, VT 05402-0849

Dear Chapin,

As you are aware, Secretary Flynn sent Mayor Weinberger a letter on April 18, 2019 regarding VTrans' commitment and timeline for advancement of preliminary engineering for the City's proposed Railyard Enterprise Project. Recently you requested, on behalf of the City, that the agency reconsider its position relative to timing.

After some internal discussion, VTrans could commit to including funding for preliminary engineering for the Railyard Enterprise Project in its capital program submittal to the Legislature for SFY21 if the City will commit to providing the full 20% required matching funds for the preliminary engineering phase. This is a deviation from VTrans providing 90% funding for all project-eligible costs for federal participation as outlined by Secretary Flynn in his April 18, 2019 letter. With other priorities already committed to by VTrans, we are not able to provide any state matching funds at this time should the City want to pursue advancing the preliminary engineering phase before construction of the Champlain Parkway is completed.

We continue to look forward to working with the City to advance this project.

Sincerely,

Wayne B. Symonds, PE
Chief Engineer

Sincerely,

Michele Boomhower
Director of Policy, Planning & Intermodal Development

cc: J. Flynn, Secretary of Transportation
S. Scribner, Director, Municipal Assistance Bureau
C. Allen, Director, Asset Management Bureau

